



**MICHIGAN  
ASSOCIATION FOR THE  
Education  
of Young  
Children**

*"...promoting quality education  
and the well-being  
of young children..."*

October 21, 2009

Families and Children's Services  
Michigan House of Representatives

The Michigan Association for the Education of Young Children opposes HB 5512. The amendment to PA 116 weakens the rules that protect children when receiving care outside of their homes.

PA 116 current allows for care outside of the child's home for a period of 4 weeks during a calendar year. This is reasonable and provides families with flexibility when short-term or emergency care is needed.

As stated in HB 5512, A FAMILY CHILD CARE HOME DOES NOT INCLUDE AN INDIVIDUAL PROVIDING BABYSITTING SERVICES FOR ANOTHER INDIVIDUAL. This statement is totally contrary to Section I, i,iii and invalidates the definition of a family child care home. Whether it is called child care or babysitting, it is the same service being provided and should be regulated.

The second sentence, AS USED IN THIS SUBPARAGRAH, "PROVIDING BABYSITTING SERVICES" MEANS TEMPORARILY CARING FOR A CHILD ON BEHALF OF THE CHILD'S PARENT OR GUARDIAN WHETHER OR NOT COMPENSATION IS RECEIVED AS LONG AS THE CARE IS NOT PROVIDED AS PART OF THE INDIVIDUAL'S VOCATION, is not needed in PA 116. As stated above, PA 116 currently allows for temporary care. Once a child had been in care for 4 weeks, it can no longer be considered temporary. In addition, when a person is compensated for services that they perform, the work becomes the persons vocation.

This bill considerably weakens the protections children receive under the current law. Allowing long-term compensated child care undermines all regulated care and endangers children.

Respectfully,

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## Position Statement on Child Care Regulations

Michigan Association for the Education of Young Children (MiAEYC) supports a strong system of public regulation, uniform for all programs across the state that serve children in out-of-home settings.

Regulation provides a basic level of protection and minimum operation standards. When these regulations and the systems that enforce them are well designed and effectively administered, they can help to assure the provision of early childhood programs that nurture, protect, and educate young children. Regulation should be viewed as a vigorous and necessary consumer protection for parents and their young children, and a support system for providers who wish to offer the highest quality of care.

We believe that:

- Regulation helps assure children's rights to care settings that protect them from harm and promote their healthy development.<sup>1</sup>
- Regulation establishes a necessary level of care.
- Regulation should apply, without exception or exemptions, to all programs regardless of sponsorship, length of day, age of children or number of children served.
- Regulation must be appropriate to the type of setting and the number of children served; it should reflect current research findings concerning the determinates of quality education and care.
- Regulations must be uniform, clear, reasonable, and enforceable.
- Regulations must be vigorously enforced. Therefore, Michigan must have an adequately funded state agency to ensure implementation and monitoring of the regulations.
- Regulations and the regulatory system must be responsive to the needs of children, parents, and providers.
- Regulations help parents make informed choices about what is best for their children.

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<sup>1</sup> National Association for the Education of Young Children. (1997) *Licensing and Public Regulation of Early Childhood Programs – A position statement*. Washington DC: NAEYC. [www.naeyc.org](http://www.naeyc.org)

### Key Points:

- Children deserve healthy, safe and developmentally appropriate care.
- Regulation must be uniform, clear, reasonable, and enforceable.
- Vigorous enforcement of regulations requires adequate funding.
- Regulation of child care is in everyone's best interest.

### Frequently Asked Questions:

#### *Why do we need child care regulations?*

All children in an education or care setting outside their home deserve healthy and safe environments that promote their development.<sup>2</sup> Regulations provide a basic level of protection for children and their families. Working parents care for their children while they are working by investigating child care options and selecting the one that best meets their needs. But parents are not always aware of practices and procedures that are necessary for group care of children. Regulations of care programs should assure parents that programs meet that base level.

#### *Do all child care programs need to be regulated?*

Yes, all children who receive care outside their families should have the same right to protection from harm. All types of care and education programs should be regulated regardless of length of program day, sponsorship, or number of children served. And, all children deserve care and education that promotes their healthy development. When a state exempts programs from regulation, children in those programs may be in jeopardy.

#### *Why would providers want to be regulated?*

- Those persons who enter the early childhood field with the desire and knowledge to keep children safe and promote their healthy development support statewide regulations. They use the regulations as a base for their practices, but because of their professional approach to caring and educating young children, they often surpass the minimal standards set by regulations.
- Regulations help assure business can compete in the market place. Unregulated programs may often lower fees, and do not always adhere to the minimal standards set by regulations. Parents sometimes choose care based on the cost. Children in these programs may be in unsafe situations, and may not be receiving care and stimulation that will help them succeed in life.

### Michigan Stories

These are stories about people in early childhood care and education known to MiAEYC members. The names have been changed.

*From a mother of an 8-year-old:* My daughter, Sandy who is 8 years old, really wanted to be a part of the Enrichment Class offered at her elementary school after school instead of going to the ABC School-age Child Care Center. I contacted the school and talked to Miss Smith who was overseeing the program. She told me they would be in the gym, but would have five or six different types of activities going on that the children could self-select. It sounded like Sandy would be really busy for those two hours between school ending and my work day ending. I signed her up assuming the program was licensed and would operate like the ABC School-age Child Care Center.

Although I asked Sandy about it each day, it wasn't until early into the second week that she told me she hadn't been able to make any of the crafts that she wanted to because the older girls "hogged the table". I asked why Miss Smith didn't help her. Sandy said she was always busy with the boys playing ball.

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<sup>2</sup> Kagan, S.L. and N.E. Cohen. (1997) *Not By Chance Creating an Early Care and Education System for America's Children, Executive Summary.*

The next day I left work early to see what the program looked like. I could hear the noise as I walked down the hall. It was almost deafening when I got to the gym door. There must have been 60-70 children in the room. A group of older children were settled at each of the activity stations, and looked like they had been there awhile. Many of the children, Sandy included, sat on the side and watched. I looked for Miss Smith, or any of the staff. There were only two adults in the room, and they were both attending to a group of boys playing a game of basketball.

I went to Sandy, told her we were leaving and asked where she signed out. She said there was no sign in or signs out. We left. I called the school the next day to complain. I was told, "We aren't babysitters. The children are free to come and go. We just offer enrichment."

Sandy went back to the ABC School-age Child Care Center where she was greeted at the door with a smile, had a snack and talked about her day, worked on her homework or played a card game or rode bikes outside. And when I came to pick her up, staff said, "Goodbye, Sandy, see you tomorrow!"

***From a mother of a three-year-old:*** When I had to go back to work, I checked my child care options. The center I liked charged more than I could even imagine paying for child care. The family child care provider's fees were reasonable, but my neighbor offered to watch Belinda for half the price. It was such a deal that I selected my neighbor.

I thought things were fine, but a coworker talked about her 3-year-old, Sasha, and all the things she could do. I asked how Sasha had learned so many words, and the coworker said, "Probably because her care provider talks to her and reads books all the time." I compared Belinda's energy level to Sasha's. As my coworker and I talked about it, I realized the nutritious meals and regular naps offered to Sasha made the difference.

I told my neighbor I was putting Belinda in the family child care provider's program. I explained that the provider plans lots of activities for the children that keep their minds and bodies busy exploring and learning. Although my neighbor acted hurt at first, I think she was kind of relieved. Watching Belinda full time was more work than she wanted.

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